THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :23649 of 2007

DATED:06-11-2007

BETWEEN:

Manthena Venkata Raju,

..... PETITIONER

AND

The Revenue Divisional Officer,
Gudivada,
Krishna District & another.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the 1st respondent in not taking up and considering the stay petition filed in RCD No.1222/07 which is filed questioning the order of resumption of the 2nd respondent in Rc.No.D/641, dated 12-10-2007, and taking steps to dispossess the petitioner from the said land, as illegal, and arbitrary.

3. It is stated that as against the orders passed by the 2nd respondent-Tahsildar, Mudinepalli mandal, dated 12-10-2007, under Section 4(1)(a) of the A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 (for brevity, 'the Act') in Rc.D/641 in resuming the lands of an extent of 12.18 cents in Sy.Nos.126,127 of Vavilala village on the ground that the said assigned lands were alienated in favour of the petitioner in contravention of sub-Section 2 of Section 3 of the Act, petitioner filed an appeal in RCD 1222/07 before the 1st respondent-Revenue Divisional Officer, Gudivada alongwith the application to grant stay, but however, pending disposal of the appeal 2nd respondent is taking steps to dispossess the petitioner. Hence, the Writ Petition.

4. Having regard to the facts and circumstances of the case,

1st respondent is directed to consider and dispose of the appeal in RCD.1222/07 filed against the order of the 2nd respondent-Tahsildar, Mudinepalli mandal in RCB/641, dated 12-10-2007, in accordance with law and pending disposal of the appeal petitioner shall not be dispossessed.

5. Accordingly, Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

06th November, 2007.
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